

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES MARSDEN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security
Administration,

Defendant.

NO: 13-CV-0207-TOR

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the parties' stipulated motion for remand (ECF No. 21). Pursuant to the parties' stipulation, this case is hereby reversed and remanded for further administrative proceedings including a de novo hearing pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall offer Plaintiff an opportunity for a new hearing, further update the medical record, and issue a new decision. The ALJ shall also:

1. Further consider all of Plaintiff's mental impairments, including an evaluation under Listing 12.05, whether the mental impairments are severe, and consider all mental and physical impairment in determining whether he has a severe impairment or combination of impairments, which may impose additional limitations on his ability to perform work activities.
2. Obtain a consultative psychological evaluation to assist in determining the severity of Plaintiff's mental impairments and, if necessary, obtain medical expert testimony to assist in determining whether his impairments meet or equal any listed impairment.
3. Further, evaluate the medical source and other source opinions contained in the record. If the ALJ elects to reject the additional limitations noted in the opinions, provide specific and legitimate reasons supported by substantial evidence.
4. In light of the expanded record, the ALJ should re-evaluate Plaintiff's credibility, lay witness testimony, and residual functional capacity.
5. If necessary, the ALJ should consult a vocational expert, and make a finding as to whether Plaintiff is able to perform his past relevant work or can make an adjustment to work existing in significant numbers in the national economy.

Reasonable attorney fees will be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

IT IS HEREBY ORDERED:

The parties' stipulated motion for remand (ECF No. 21) is **GRANTED**. Pursuant to the parties' stipulation, this case is hereby **REVERSED** and **REMANDED** for further administrative proceedings, including a de novo hearing, pursuant to sentence four of 42 U.S.C. § 405(g).

The District Court Executive is hereby directed to file this Order, enter **JUDGMENT** for Plaintiff, provide copies to counsel, and **CLOSE** the file.

DATED March 25, 2014.



Thomas O. Rice
THOMAS O. RICE
United States District Judge